

**MONDAY, MARCH 6, 2017**

**FOURTEENTH LEGISLATIVE DAY**

The House met at 5:00 p.m. and was called to order by Madam Speaker Harwell.

The proceedings were opened with prayer by Ken Young, Western Hills Church of Christ, Nashville, TN.

Representative Butt led the House in the Pledge of Allegiance to the Flag.

**ROLL CALL**

The roll call was taken with the following results:

Present..... 92

Representatives present were Akbari, Alexander, Beck, Brooks H., Brooks K., Butt, Byrd, Calfee, Camper, Carr, Carter, Casada, Clemmons, Coley, Cooper, Crawford, Curcio, Daniel, DeBerry, Dunn, Eldridge, Faison, Farmer, Favors, Fitzhugh, Forgety, Gant, Goins, Gravitt, Halford, Hardaway, Hawk, Hazlewood, Hicks, Hill M., Hill T., Holsclaw, Howell, Hulsey, Jernigan, Johnson, Jones, Kane, Keisling, Kumar, Lamberth, Littleton, Lollar, Love, Lynn, Marsh, Matheny, Matlock, McCormick, McDaniel, Miller, Mitchell, Parkinson, Pitts, Pody, Powell, Powers, Ragan, Ramsey, Reedy, Rogers, Rudd, Sanderson, Sargent, Sexton C., Sexton J., Shaw, Sherrell, Smith, Sparks, Staples, Stewart, Swann, Terry, Thompson, Tillis, Towns, Travis, Van Huss, Weaver, White D., White M., Whitson, Windle, Wirgau, Zachary, Madam Speaker Harwell -- 92

**EXCUSED**

The Speaker announced that the following members have been excused, pursuant to requests under **Rule No. 20**:

Representative Gilmore; business

Representative Turner

Representative Moody

Representative Doss; personal

Representative Williams

**PRESENT IN CHAMBER**

Rep. Doss was recorded as being present in the Chamber.

**SPONSORS ADDED**

Under **Rule No. 43**, the following members were permitted to add their names as sponsors as indicated below, the prime sponsor of each having agreed to such addition:

**House Joint Resolution No. 158** Reps. Hardaway and Curcio as prime sponsors.

**House Bill No. 67** Reps. Dunn, H. Brooks, M. White, Akbari, Camper, Parkinson, Lynn, Love and Towns as prime sponsors.

**House Bill No. 753** Rep. Matheny as prime sponsor.

**House Bill No. 915** Rep. M. White as prime sponsor.

**ENROLLED BILLS**

**March 3, 2017**

MADAM SPEAKER: Your Chief Engrossing Clerk begs leave to report that we have carefully compared House Joint Resolutions Nos. 135, 136, 137, 138, 139, 140 and 141; and find same correctly enrolled and ready for the signatures of the Speakers.

GREG GLASS, Chief Engrossing Clerk

**SIGNED**

**March 3, 2017**

The Speaker announced that she had signed the following: House Joint Resolutions Nos. 135, 136, 137, 138, 139, 140 and 141.

GREG GLASS, Chief Engrossing Clerk

**MESSAGE FROM THE SENATE**

**March 3, 2017**

MADAM SPEAKER: I am directed to return to the House, House Joint Resolutions Nos. 135, 136, 137, 138, 139, 140 and 141; signed by the Speaker.

RUSSELL A. HUMPHREY, Chief Clerk

**REPORT OF CHIEF ENGROSSING CLERK**

**March 3, 2017**

MADAM SPEAKER: Your Chief Engrossing Clerk begs leave to report that we have transmitted to the Governor the following: House Joint Resolutions Nos. 135, 136, 137, 138, 139, 140 and 141; for his action.

GREG GLASS, Chief Engrossing Clerk

MESSAGE FROM THE SENATE

March 6, 2017

MADAM SPEAKER: I am directed to transmit to the House, Senate Joint Resolutions Nos. 35, 48, 83, 107, 123, 124, 125, 158, 159 and 160; adopted, for the House's action.

RUSSELL A. HUMPHREY, Chief Clerk

**\*Senate Joint Resolution No. 35** -- General Assembly, Statement of Intent or Position - Recognizes pornography as a public health hazard leading to a broad spectrum of individual and public health impacts and societal harms. by \*Beavers, \*Haile.

**\*Senate Joint Resolution No. 48** -- Constitutional Conventions - Appoints commissioners to the planning convention for a prospective Article V convention. by \*Bell, \*Ketron, \*Kelsey, \*Stevens.

**\*Senate Joint Resolution No. 83** -- General Assembly, Statement of Intent or Position - Expresses support for the Tennessee Energy Efficient Schools Council. by \*Ketron.

**\*Senate Joint Resolution No. 107** -- General Assembly, Directed Studies - Requests the Department of Education and the State Board of Education to study and report on the best practices of other states relative to funding of programs focused on career preparation and postsecondary opportunities. by \*Tracy.

**\*Senate Joint Resolution No. 123** -- General Assembly, Confirmation of Appointment - Mike Edwards, State Board of Education. by \*Gresham, \*Massey, \*Overbey.

**\*Senate Joint Resolution No. 124** -- General Assembly, Confirmation of Appointment - Gordon Ferguson, State Board of Education. by \*Gresham, \*Ketron.

**\*Senate Joint Resolution No. 125** -- General Assembly, Confirmation of Appointment - Elissa Kim, State Board of Education. by \*Gresham, \*Harper.

**Senate Joint Resolution No. 158** -- Memorials, Recognition - Welcome Home Vietnam Veterans Celebration. by \*Watson, \*Briggs, \*Crowe, \*Jackson, \*Green, \*Gresham, \*Lundberg, \*Gardenhire, \*Bailey, \*Beavers, \*Bell, \*Bowling, \*Dickerson, \*Haile, \*Harper, \*Harris, \*Hensley, \*Johnson, \*Kelsey, \*Ketron, \*Kyle, \*Massey, \*Niceley, \*Norris, \*Overbey, \*Roberts, \*Southerland, \*Stevens, \*Tate, \*Tracy, \*Yager, \*Yarbro, \*McNally.

**Senate Joint Resolution No. 159** -- Memorials, Personal Occasion - J.D. Barger, 100th birthday. by \*Southerland.

**Senate Joint Resolution No. 160** -- Memorials, Sports - Dresden High School, 2016 Division I Class 1A Football State Champions. by \*Stevens.

**PERSONAL ORDERS**

**RECOGNITION IN THE WELL**

Representative Lollar, joined by the Shelby County delegation and Chairman H. Brooks, was recognized in the Well to honor Dr. David Stephens, 2017 Superintendent of the Year.

**RESOLUTION READ**

The Clerk read House Joint Resolution No. 20, adopted January 11, 2017.

**House Joint Resolution No. 20** -- Memorials, Professional Achievement - Dr. David Stephens, 2017 Superintendent of the Year. by \*Lollar, \*Coley, \*White M, \*Akbari, \*Camper, \*Cooper, \*DeBerry, \*Hardaway, \*Lovell, \*Miller, \*Parkinson, \*Thompson, \*Towns, \*Turner.

**RESOLUTIONS**

Pursuant to **Rule No. 17**, the following resolutions were introduced and placed on the Consent Calendar for March 9, 2017:

**House Joint Resolution No. 183** -- Memorials, Personal Occasion - Ruby Lopp, 102nd birthday. by \*Byrd.

**House Joint Resolution No. 184** -- Memorials, Recognition - Morgan Mathis, 2016 ANTSO National Miss. by \*Byrd.

**House Joint Resolution No. 185** -- Memorials, Recognition - Darryl Worley. by \*Byrd.

**House Joint Resolution No. 186** -- Memorials, Personal Occasion - Winnell Pittenger, 100th birthday. by \*Matheny.

**House Joint Resolution No. 187** -- Memorials, Sports - Scotts Hill Elementary Lady Lions basketball team, TNT State Champions. by \*McDaniel.

**House Joint Resolution No. 188** -- Memorials, Recognition - 2017 World's Biggest Fish Fry Princess Court. by \*Wirgau.

**House Joint Resolution No. 189** -- Memorials, Recognition - Ernie Lanier. by \*Pody.

**House Joint Resolution No. 190** -- Memorials, Sports - Rusty Staats. by \*Pody.

**House Joint Resolution No. 191** -- Memorials, Recognition - Bratton Farm, Maury County Alliance Century Farm of the Year. by \*Butt.

**House Joint Resolution No. 192** -- Memorials, Heroism - Kaela Eads. by \*Crawford, \*Hill T, \*Hulsey.

**House Joint Resolution No. 193** -- Memorials, Recognition - Blackhorse Pub & Brewery, 25th anniversary. by \*Pitts, \*Johnson, \*Reedy.

**SENATE JOINT RESOLUTIONS  
(Congratulatory and Memorializing)**

Pursuant to **Rule No. 17**, the resolutions listed were noted as being placed on the Consent Calendar for March 9, 2017:

**Senate Joint Resolution No. 158** -- Memorials, Recognition - Welcome Home Vietnam Veterans Celebration. by \*Watson.

**Senate Joint Resolution No. 159** -- Memorials, Personal Occasion - J.D. Barger, 100th birthday. by \*Southerland.

**Senate Joint Resolution No. 160** -- Memorials, Sports - Dresden High School, 2016 Division I Class 1A Football State Champions. by \*Stevens.

**SENATE BILLS TRANSMITTED**

On motion, the Senate Bills listed below, transmitted to the House, were held on the Clerk's desk pending third consideration of the companion House Bill as noted:

**\*Senate Bill No. 71** -- Sunset Laws - As introduced, extends the department of general services three years to June 30, 2020; requires the department to report back to the committee concerning the findings in its 2016 performance audit report. - Amends TCA Title 4, Chapter 29, Part 2 and Title 4, Chapter 3. by \*Bell. (HB214 by \*Faison)

**\*Senate Bill No. 90** -- Sunset Laws - As introduced, extends the state procurement commission to June 30, 2020. - Amends TCA Title 4, Chapter 29, Part 2 and Title 4, Chapter 56. by \*Bell. (HB213 by \*Faison)

**\*Senate Bill No. 607** -- Guardians and Conservators - As introduced, renames Chapter 1062 of the Public Acts of 2016 to be the "Falk Act." - Amends Chapter 1062 of the Public Acts of 2016. by \*Lundberg. (HB882 by \*McDaniel, \*Faison)

**Senate Bill No. 739** -- Alcoholic Beverages - As introduced, designates Fresh Hospitality located in Nashville as an urban park center for purposes of consumption on the premises. - Amends TCA Title 57, Chapter 4, Part 1 and Title 57, Chapter 5. by \*Yarbro. (\*HB594 by \*Beck)

**Senate Bill No. 740** -- Alcoholic Beverages - As introduced, designates The Plaza in Nashville as a premier type tourist resort for purposes of on-premises consumption of alcoholic beverages. - Amends amend TCA. by \*Yarbro. (\*HB722 by \*Powell)

**Senate Bill No. 809** -- Teachers, Principals and School Personnel - As introduced, moves up the deadline for the state board of education to release the teacher preparation training report from November 1 of each year to February 1 of each year. - Amends TCA Title 49, Chapter 5. by \*Tate, \*Gresham. (\*HB125 by \*Brooks H)

**Senate Bill No. 848** -- Alcoholic Beverages - As introduced, authorizes the sale of alcoholic beverages for on premises consumption at a location in Davidson County. - Amends TCA Title 57, Chapter 4. by \*Briggs. (\*HB661 by \*Mitchell, \*Ramsey)

**Senate Bill No. 912** -- Driver Licenses - As introduced, allows a victim of identity theft to apply for and receive a new driver license with a new distinguishing number upon presenting proof of the crime, including a law enforcement report that lists the applicant as a victim of identity theft; allows the department of safety to charge a reasonable fee for reissuance of a driver license due to identity theft. - Amends TCA Section 39-14-150 and Title 55, Chapter 50. by \*Bell. (\*HB836 by \*DeBerry)

### **HOUSE BILLS ON SECOND CONSIDERATION**

On motion, bills listed below passed second consideration and were referred by the Speaker to Committee or held on the Clerk's desk as noted:

**House Bill No. 1415** -- Murfreesboro -- House Local Government Committee

**House Bill No. 1416** -- Gibson County -- House Local Government Committee

**House Bill No. 1417** -- Benton -- House Local Government Committee

### **CONSENT CALENDAR**

**House Bill No. 295** -- Codes - As introduced, updates, from the August 2011 edition to the August 2016 edition, the electrical safety code governing electric-supply stations and lines; updates publisher's address. - Amends TCA Title 68, Chapter 101. by \*Swann.

On motion, House Bill No. 295 was made to conform with **Senate Bill No. 128**; the Senate Bill was substituted for the House Bill.

**\*House Bill No. 150** -- Credit Unions - As introduced, increases from \$10,000 to \$15,000 the aggregate amount that a credit union may pay out of all accounts or contents of safe deposit boxes maintained by a deceased shareholder or depositor. - Amends TCA Title 45. by \*Hazlewood.

**\*House Bill No. 378** -- Physicians and Surgeons - As introduced, clarifies that quality improvement committees apply to osteopathic doctors; updates references to the repealed Tennessee Peer Review Act of 1967. - Amends TCA Title 56, Chapter 32, Part 1; Title 63, Chapter 1, Part 1; Title 63, Chapter 6, Part 2; Title 63, Chapter 9, Part 1 and Title 68, Chapter 11, Part 2. by \*Farmer, \*Kumar.

On motion, House Bill No. 378 was made to conform with **Senate Bill No. 369**; the Senate Bill was substituted for the House Bill.

**\*House Resolution No. 19** -- General Assembly, Review Or Ratification of Rules - Ratifies and approves the amendments and revisions to the Tennessee Rules of Appellate Procedure, as promulgated and adopted by the Tennessee Supreme Court. by \*Farmer.

**\*House Resolution No. 20** -- General Assembly, Review Or Ratification of Rules - Ratifies and approves the amendments and revisions to the Tennessee Rules of Civil Procedure, as promulgated and adopted by the Tennessee Supreme Court. by \*Farmer.

**\*House Resolution No. 21** -- General Assembly, Review Or Ratification of Rules - Ratifies and approves the amendments and revisions to the Tennessee Rules of Evidence, as promulgated and adopted by the Tennessee Supreme Court. by \*Farmer.

**House Bill No. 882** -- Guardians and Conservators - As introduced, renames Chapter 1062 of the Public Acts of 2016 to be the "Falk Act." - Amends Chapter 1062 of the Public Acts of 2016. by \*McDaniel, \*Faison.

**House Resolution No. 64** -- Memorials, Death - Sam Smith. by \*Love, \*Gilmore.

**House Joint Resolution No. 158** -- Memorials, Recognition - Austin Peay State University, 90th anniversary. by \*Johnson, \*Reedy, \*Pitts, \*Littleton.

**House Joint Resolution No. 159** -- Memorials, Death - R. Wayne Oldham. by \*Johnson, \*Reedy, \*Pitts, \*Littleton.

**House Joint Resolution No. 163** -- Memorials, Recognition - Sophia Hicks, Doodle for Google state finalist. by \*Travis.

**House Joint Resolution No. 164** -- Memorials, Death - Howard Taylor. by \*Travis.

**House Joint Resolution No. 169** -- Memorials, Sports - Pigeon Forge High School, 2017 state wrestling champions. by \*Carr , \*Farmer.

**House Joint Resolution No. 170** -- Memorials, Sports - Caleb York, state wrestling champion. by \*Carr , \*Farmer.

**House Joint Resolution No. 171** -- Memorials, Sports - Ethan Olinger, Pigeon Forge High School wrestling team. by \*Carr , \*Farmer.

**House Joint Resolution No. 172** -- Memorials, Sports - Colton Poole, Pigeon Forge High School wrestling team. by \*Carr , \*Farmer.

**House Joint Resolution No. 173** -- Memorials, Sports - Dymond Smith, Pigeon Forge High School wrestling team. by \*Carr , \*Farmer.

**House Joint Resolution No. 174** -- Memorials, Sports - Anthony Baiamonte, state wrestling champion. by \*Carr , \*Farmer.

**House Joint Resolution No. 175** -- Memorials, Sports - Gavin Hutchens, state wrestling champion. by \*Carr , \*Farmer.

**House Joint Resolution No. 176** -- Memorials, Retirement - Tim Tohill. by \*Pitts.

**House Joint Resolution No. 177** -- Memorials, Recognition - Shelby County Public Defender, centennial. by \*Akbari.

**House Joint Resolution No. 178** -- Memorials, Recognition - Kendyl Colvett, 2017 Mule Day Queen. by \*Butt, \*Curcio.

**MONDAY, MARCH 6, 2017 -- FOURTEENTH LEGISLATIVE DAY UNOFFICIAL VERSION**

**House Joint Resolution No. 179** -- Memorials, Recognition - Alayna Pearle Keeling, 2017 Mule Day Court, First Runner Up. by \*Butt, \*Curcio.

**House Joint Resolution No. 180** -- Memorials, Recognition - Ginger Morrow, 2017 Mule Day Court, Second Runner Up. by \*Butt, \*Curcio.

**House Joint Resolution No. 181** -- Memorials, Recognition - Mallory Loveless, 2017 Mule Day Court, Third Runner Up. by \*Butt, \*Curcio.

**House Joint Resolution No. 182** -- Memorials, Recognition - Katie Lea Boshers, 2017 Mule Day Court, Fourth Runner Up. by \*Butt, \*Curcio.

**Senate Joint Resolution No. 139** -- Memorials, Personal Occasion - Elinor Jayne Collins, 90th birthday. by \*Yarbro.

**Senate Joint Resolution No. 140** -- Memorials, Public Service - Marissa Countess. by \*Tracy.

**Senate Joint Resolution No. 142** -- Memorials, Retirement - Linda Penny. by \*Norris, \*Overbey.

**Senate Joint Resolution No. 143** -- Memorials, Recognition - Food City 500 Monster Energy NASCAR Cup Series Race. by \*Lundberg, \*Crowe.

**Senate Joint Resolution No. 144** -- Memorials, Recognition - Food City 300 NASCAR Series Race at Bristol Motor Speedway, 35th anniversary. by \*Lundberg, \*Crowe.

**Senate Joint Resolution No. 145** -- Memorials, Recognition - 1927 Bristol Sessions, 90th anniversary. by \*Lundberg, \*Crowe.

**Senate Joint Resolution No. 146** -- Memorials, Recognition - Roan Mountain State Park, State Park of the Year. by \*Crowe.

**Senate Joint Resolution No. 147** -- Memorials, Personal Achievement - Mallory Fundora, Prudential Spirit of Community Award. by \*Green.

**Senate Joint Resolution No. 148** -- Memorials, Recognition - Blackman High School cheerleading squad, National High School Cheerleading Champions. by \*Ketron, \*Tracy.

**Senate Joint Resolution No. 149** -- Memorials, Death - Lt. Colonel Robert Patrick Gleason. by \*Massey, \*Briggs, \*McNally, \*Overbey, \*Bailey, \*Beavers, \*Bell, \*Bowling, \*Crowe, \*Dickerson, \*Gardenhire, \*Green, \*Gresham, \*Haile, \*Harper, \*Harris, \*Hensley, \*Jackson, \*Johnson, \*Kelsey, \*Ketron, \*Kyle, \*Lundberg, \*Niceley, \*Norris, \*Roberts, \*Southerland, \*Stevens, \*Tate, \*Tracy, \*Watson, \*Yager, \*Yarbro.

**Senate Joint Resolution No. 150** -- Memorials, Recognition - Akima Club, 70th anniversary. by \*Massey, \*Briggs, \*Overbey.

**Senate Joint Resolution No. 151** -- Memorials, Death - Rachel Rose Parker. by \*Yager.



**Senate Joint Resolution No. 152** -- Memorials, Recognition - Bonita Stinecipher Irwin. by \*Yager.

**Senate Joint Resolution No. 153** -- Memorials, Public Service - Linda Vannatta. by \*Tracy.

**Senate Joint Resolution No. 154** -- Memorials, Personal Achievement - Jackson Sevier Phillips, Eagle Scout. by \*Dickerson.

**Senate Joint Resolution No. 156** -- Memorials, Retirement - Lieutenant Lucious Howard, Tennessee Highway Patrol. by \*Yager.

**Senate Joint Resolution No. 157** -- Memorials, Personal Occasion - Ernest "Turnip" Rose, 100th birthday. by \*Yager.

### **OBJECTION--CONSENT CALENDAR**

Objection was filed to the following on the Consent Calendar:

**House Bill No. 882:** by Rep. McDaniel

Under the rules, House Bill No. 882, was placed at the heel of the calendar for March 9, 2017.

Rep. Smith moved that all members voting aye on Senate Joint Resolution No. 149 be added as co-prime sponsors with the Knox County delegation listed first, which motion prevailed with the following members not added pursuant to the signed Sponsor Exclusion form: Reps. Butt, Holt, Pody and Ragan.

Rep. Smith moved that all members of the Knox County delegation be added as co-prime sponsors on Senate Joint Resolution No. 150, which motion prevailed with the following members not added pursuant to the signed Sponsor Exclusion form: Reps. Butt, Holt, Pody and Ragan.

Rep. Pitts moved that all members voting aye on House Joint Resolution No. 176 be added as co-prime sponsors with the Davidson County delegation listed first, which motion prevailed with the following members not added pursuant to the signed Sponsor Exclusion form: Reps. Butt, Holt, Pody and Ragan.

Rep. Akbari moved that all members voting aye on House Joint Resolution No. 177 be added as co-prime sponsors with the Shelby County delegation listed first, which motion prevailed with the following members not added pursuant to the signed Sponsor Exclusion form: Reps. Butt, Holt, Pody and Ragan.

**MONDAY, MARCH 6, 2017 -- FOURTEENTH LEGISLATIVE DAY UNOFFICIAL VERSION**

Pursuant to **Rule No. 50**, Rep. Dunn moved that all House Bills having companion Senate Bills and are on the Clerk's desk be conformed and substituted for the appropriate House Bill, all Senate and House Bills on the Consent Calendar be passed on third and final consideration, all House Resolutions and House Joint Resolutions be adopted, and all Senate Joint Resolutions on the Consent Calendar be concurred in, which motion prevailed by the following vote:

Ayes ..... 94  
Noes..... 0

Representatives voting aye were: Akbari, Alexander, Beck, Brooks H., Brooks K., Butt, Byrd, Calfee, Camper, Carr, Carter, Casada, Clemmons, Coley, Cooper, Crawford, Curcio, Daniel, DeBerry, Doss, Dunn, Eldridge, Faison, Farmer, Favors, Fitzhugh, Forgety, Gant, Goins, Gravitt, Halford, Hardaway, Hawk, Hazlewood, Hicks, Hill M., Hill T., Holsclaw, Holt, Howell, Hulsey, Jernigan, Johnson, Jones, Kane, Keisling, Kumar, Lamberth, Littleton, Lollar, Love, Lynn, Marsh, Matheny, Matlock, McCormick, McDaniel, Miller, Mitchell, Parkinson, Pitts, Pody, Powell, Powers, Ragan, Ramsey, Reedy, Rogers, Rudd, Sanderson, Sargent, Sexton C., Sexton J., Shaw, Sherrell, Smith, Sparks, Staples, Stewart, Swann, Terry, Thompson, Tillis, Towns, Travis, Van Huss, Weaver, White D., White M., Whitson, Windle, Wirgau, Zachary, Madam Speaker Harwell -- 94

A motion to reconsider was tabled.

**REGULAR CALENDAR**

**\*House Joint Resolution No. 31** -- Memorials, Congress - Supports U.S. statehood for Puerto Rico. by \*Goins, \*Hardaway.

Further consideration of House Joint Resolution No. 31, previously considered on February 27, 2017, at which time it was reset for today's Calendar.

**BILL RE-REFERRED**

Rep. Goins moved that **House Joint Resolution No. 31** be re-referred to the State Government Committee, which motion prevailed.

REGULAR CALENDAR, CONTINUED

**\*House Bill No. 77** -- Insurance, Motor Vehicles - As introduced, clarifies that off-highway vehicles operated on public roads are covered under the definition of "uninsured motor vehicle" for purposes of being covered under an uninsured motorist policy. - Amends TCA Title 55, Chapter 12; Title 55, Chapter 8 and Title 56, Chapter 7. by \*Kane. (SB956 by \*Tracy)

Rep. Kane moved that **House Bill No. 77** be passed on third and final consideration, which motion prevailed by the following vote:

Ayes ..... 94  
Noes..... 0

Representatives voting aye were: Akbari, Alexander, Beck, Brooks H., Brooks K., Butt, Byrd, Calfee, Camper, Carr, Carter, Casada, Clemmons, Coley, Cooper, Crawford, Curcio, Daniel, DeBerry, Doss, Dunn, Eldridge, Faison, Farmer, Favors, Fitzhugh, Forgety, Gant, Goins, Gravitt, Halford, Hardaway, Hawk, Hazlewood, Hicks, Hill M., Hill T., Holsclaw, Holt, Howell, Hulsey, Jernigan, Johnson, Jones, Kane, Keisling, Kumar, Lamberth, Littleton, Lollar, Love, Lynn, Marsh, Matheny, Matlock, McCormick, McDaniel, Miller, Mitchell, Parkinson, Pitts, Pody, Powell, Powers, Ragan, Ramsey, Reedy, Rogers, Rudd, Sanderson, Sargent, Sexton C., Sexton J., Shaw, Sherrell, Smith, Sparks, Staples, Stewart, Swann, Terry, Thompson, Tillis, Towns, Travis, Van Huss, Weaver, White D., White M., Whitson, Windle, Wirgau, Zachary, Madam Speaker Harwell -- 94

A motion to reconsider was tabled.

**\*House Bill No. 78** -- Criminal Offenses - As introduced, authorizes property owners to provide notice that trespassing is prohibited on their property by marking trees and posts with purple paint as an alternative to posting signs. - Amends TCA Title 39, Chapter 14. by \*Kane, \*Sexton C. (SB1182 by \*Niceley)

Rep. Kane moved that House Bill No. 78 be passed on third and final consideration.

Rep. Dunn moved adoption of Amendment No. 1 as follows:

**Amendment No. 1**

AMEND House Bill No. 78 by deleting the first sentence of subdivision (c)(2) in the amendatory language of Section 1 and substituting instead the following:

Places identifying purple paint marks on trees or posts on the property; provided, that at least one (1) sign is posted at a major point of ingress to the property in a manner that is reasonably likely to come to the attention of a person entering the property and that the sign includes language describing that the use of purple paint signifies "no trespassing."

On motion, Amendment No. 1 was adopted.

Rep. Lollar moved the previous question, which motion prevailed by the following vote:

Ayes ..... 68  
Noes..... 20

Representatives voting aye were: Alexander, Brooks H., Brooks K., Butt, Calfee, Carr, Carter, Casada, Coley, Crawford, Curcio, Daniel, Doss, Eldridge, Faison, Favors, Fitzhugh, Forgety, Gant, Goins, Gravitt, Halford, Hazlewood, Hicks, Hill M., Hill T., Holsclaw, Holt, Howell, Hulsey, Johnson, Kane, Keisling, Kumar, Lamberth, Littleton, Lollar, Lynn, Marsh, Matheny, Matlock, McDaniel, Pody, Powell, Powers, Ragan, Ramsey, Reedy, Rogers, Rudd, Sargent, Sexton C., Sexton J., Shaw, Sherrell, Sparks, Staples, Swann, Terry, Thompson, Tillis, Travis, Weaver, White D., White M., Whitson, Windle, Wirgau -- 68

Representatives voting no were: Beck, Byrd, Clemmons, Cooper, DeBerry, Dunn, Farmer, Hardaway, Hawk, Jernigan, Jones, McCormick, Miller, Mitchell, Parkinson, Sanderson, Smith, Stewart, Towns, Van Huss -- 20

Rep. Kane moved that **House Bill No. 78**, as amended, be passed on third and final consideration, which motion prevailed by the following vote:

Ayes ..... 90  
Noes..... 1  
Present and not voting..... 2

Representatives voting aye were: Alexander, Beck, Brooks H., Brooks K., Butt, Byrd, Calfee, Camper, Carr, Carter, Casada, Clemmons, Coley, Crawford, Curcio, Daniel, DeBerry, Doss, Dunn, Eldridge, Faison, Farmer, Favors, Fitzhugh, Forgety, Gant, Goins, Gravitt, Halford, Hardaway, Hawk, Hazlewood, Hicks, Hill M., Hill T., Holsclaw, Holt, Howell, Hulsey, Jernigan, Johnson, Jones, Kane, Keisling, Kumar, Lamberth, Littleton, Lollar, Love, Lynn, Marsh, Matheny, Matlock, McDaniel, Miller, Mitchell, Parkinson, Pitts, Pody, Powell, Powers, Ragan, Ramsey, Reedy, Rogers, Rudd, Sargent, Sexton C., Sexton J., Shaw, Sherrell, Smith, Sparks, Staples, Stewart, Swann, Terry, Thompson, Tillis, Towns, Travis, Van Huss, Weaver, White D., White M., Whitson, Windle, Wirgau, Zachary, Madam Speaker Harwell -- 90

Representatives voting no were: McCormick -- 1

Representatives present and not voting were: Akbari, Cooper -- 2

A motion to reconsider was tabled.

**\*House Bill No. 56** -- Criminal Offenses - As introduced, expands the offense of theft to include evading a component of an anti-shoplifting device, interfering with a fire alarm system, or using any artifice or article to commit or facilitate a theft, and makes other various changes; punishes a fifth or subsequent conviction in a two-year period one classification higher and imposes a fine of not less than \$300. - Amends TCA Section 39-14-146. by \*Zachary, \*Lamberth. (SB119 by \*Briggs)

**MONDAY, MARCH 6, 2017 -- FOURTEENTH LEGISLATIVE DAY UNOFFICIAL VERSION**

Rep. Zachary moved that **House Bill No. 56** be passed on third and final consideration, which motion prevailed by the following vote:

Ayes ..... 93  
Noes ..... 0

Representatives voting aye were: Akbari, Alexander, Beck, Brooks H., Brooks K., Butt, Byrd, Calfee, Camper, Carr, Carter, Casada, Clemmons, Coley, Cooper, Crawford, Curcio, Daniel, DeBerry, Doss, Dunn, Eldridge, Faison, Farmer, Favors, Fitzhugh, Forgety, Gant, Goins, Gravitt, Halford, Hardaway, Hawk, Hazlewood, Hicks, Hill M., Hill T., Holsclaw, Holt, Howell, Hulsey, Jernigan, Johnson, Jones, Keisling, Kumar, Lamberth, Littleton, Lollar, Love, Lynn, Marsh, Matheny, Matlock, McCormick, McDaniel, Miller, Mitchell, Parkinson, Pitts, Pody, Powell, Powers, Ragan, Ramsey, Reedy, Rogers, Rudd, Sanderson, Sargent, Sexton C., Sexton J., Shaw, Sherrell, Smith, Sparks, Staples, Stewart, Swann, Terry, Thompson, Tillis, Towns, Travis, Van Huss, Weaver, White D., White M., Whitson, Windle, Wirgau, Zachary, Madam Speaker Harwell -- 93

A motion to reconsider was tabled.

**\*House Bill No. 83** -- Taxes - As introduced, requires members of county boards of equalization and hearing officers to complete annual training and continuing education. - Amends TCA Section 67-1-403. by \*Gravitt. (SB142 by \*Bailey)

On motion, House Bill No. 83 was made to conform with **Senate Bill No. 142**; the Senate Bill was substituted for the House Bill.

Rep. Gravitt moved that Senate Bill No. 142 be passed on third and final consideration.

Rep. Wirgau moved adoption of Local Government Committee Amendment No. 1 as follows:

**Amendment No. 1**

AMEND Senate Bill No. 142 by adding to Section 1 the following new subdivision (e)(5):

(5) Mandatory annual continuing education and training is only required under this subsection (e) to the extent that such education and training is provided by the comptroller of the treasury free of charge.

On motion, Local Government Committee Amendment No. 1 was adopted.

Rep. Gravitt moved that **Senate Bill No. 142**, as amended, be passed on third and final consideration, which motion prevailed by the following vote:

Ayes ..... 93  
Noes ..... 1

**MONDAY, MARCH 6, 2017 -- FOURTEENTH LEGISLATIVE DAY UNOFFICIAL VERSION**

Representatives voting aye were: Akbari, Alexander, Beck, Brooks H., Brooks K., Butt, Byrd, Calfee, Camper, Carr, Carter, Casada, Clemmons, Coley, Cooper, Crawford, Curcio, Daniel, DeBerry, Doss, Dunn, Eldridge, Faison, Farmer, Favors, Fitzhugh, Forgety, Gant, Goins, Gravitt, Halford, Hardaway, Hawk, Hazlewood, Hicks, Hill M., Hill T., Holsclaw, Holt, Howell, Hulsey, Jernigan, Johnson, Jones, Kane, Keisling, Kumar, Lamberth, Littleton, Lollar, Love, Lynn, Marsh, Matheny, Matlock, McCormick, McDaniel, Miller, Mitchell, Parkinson, Pitts, Powell, Powers, Ragan, Ramsey, Reedy, Rogers, Rudd, Sanderson, Sargent, Sexton C., Sexton J., Shaw, Sherrell, Smith, Sparks, Staples, Stewart, Swann, Terry, Thompson, Tillis, Towns, Travis, Van Huss, Weaver, White D., White M., Whitson, Windle, Wirgau, Zachary, Madam Speaker Harwell -- 93

Representatives voting no were: Pody -- 1

A motion to reconsider was tabled.

**\*House Bill No. 330** -- Bail, Bail Bonds - As introduced, deletes requirement that an affidavit of a jailer, warden, or officer be furnished to a court to avoid forfeiture of any appearance or bail bond and instead declares that no forfeiture or conditional forfeiture of any appearance or bail bond shall be rendered where evidence of the defendant's incarceration is furnished to the court. - Amends TCA Section 40-11-201. by \*Gravitt. (SB391 by \*Bowling)

Rep. Gravitt moved that **House Bill No. 330** be passed on third and final consideration, which motion prevailed by the following vote:

Ayes .....	92
Noes .....	0

Representatives voting aye were: Akbari, Alexander, Beck, Brooks H., Brooks K., Butt, Byrd, Calfee, Camper, Carr, Carter, Casada, Clemmons, Coley, Cooper, Crawford, Curcio, Daniel, DeBerry, Doss, Dunn, Eldridge, Faison, Farmer, Favors, Fitzhugh, Forgety, Gant, Goins, Gravitt, Halford, Hardaway, Hawk, Hazlewood, Hill M., Hill T., Holsclaw, Holt, Howell, Hulsey, Jernigan, Johnson, Jones, Kane, Keisling, Kumar, Littleton, Lollar, Love, Lynn, Marsh, Matheny, Matlock, McCormick, McDaniel, Miller, Mitchell, Parkinson, Pitts, Pody, Powell, Powers, Ragan, Ramsey, Reedy, Rogers, Rudd, Sanderson, Sargent, Sexton C., Sexton J., Shaw, Sherrell, Smith, Sparks, Staples, Stewart, Swann, Terry, Thompson, Tillis, Towns, Travis, Van Huss, Weaver, White D., White M., Whitson, Windle, Wirgau, Zachary, Madam Speaker Harwell -- 92

A motion to reconsider was tabled.

**REQUEST TO CHANGE VOTE**

Pursuant to **Rule No. 31**, the following member desires to change their original stand from "not voting" to "aye" on **House Bill No. 330** and have this statement entered in the Journal: Rep. Lamberth.

REGULAR CALENDAR, CONTINUED

**\*House Bill No. 67** -- Education, State Board of - As introduced, requires local education agencies to use at least one alternative growth model that has been approved by the board of education for evaluation of teachers in non-tested grades and subjects; requires the department of education to develop alternative student growth models for grade levels and subjects that do not have growth models. - Amends TCA Section 49-1-302. by \*Smith. (SB250 by \*Tracy)

Rep. Smith moved that **House Bill No. 67** be passed on third and final consideration, which motion prevailed by the following vote:

Ayes ..... 93  
Noes..... 0

Representatives voting aye were: Akbari, Alexander, Beck, Brooks H., Brooks K., Butt, Byrd, Calfee, Camper, Carr, Carter, Casada, Clemmons, Coley, Cooper, Crawford, Curcio, Daniel, DeBerry, Doss, Dunn, Eldridge, Faison, Farmer, Favors, Fitzhugh, Forgety, Gant, Goins, Gravitt, Halford, Hardaway, Hawk, Hazlewood, Hicks, Hill M., Hill T., Holsclaw, Holt, Howell, Hulse, Jernigan, Johnson, Jones, Kane, Keisling, Kumar, Lamberth, Littleton, Lollar, Love, Lynn, Marsh, Matheny, Matlock, McCormick, McDaniel, Miller, Mitchell, Parkinson, Pitts, Pody, Powell, Powers, Ragan, Ramsey, Reedy, Rogers, Rudd, Sargent, Sexton C., Sexton J., Shaw, Sherrell, Smith, Sparks, Staples, Stewart, Swann, Terry, Thompson, Tillis, Towns, Travis, Van Huss, Weaver, White D., White M., Whitson, Windle, Wirgau, Zachary, Madam Speaker Harwell -- 93

A motion to reconsider was tabled.

**House Resolution No. 62** -- Memorials, Recognition - World Relief Nashville. by \*Clemmons.

Further consideration of House Resolution No. 62, previously considered on March 2, 2017, at which time it was objected to on the Consent Calendar and reset for today's Calendar.

Rep. Clemmons moved that House Resolution No. 62 be reset for the Last Regular Calendar, which motion prevailed.

UNFINISHED BUSINESS

BILLS WITHDRAWN

On motion of Rep. Halford, **House Bill No. 284** was recalled from the Transportation Committee and withdrawn from the House.

On motion of Rep. Halford, **House Bill No. 443** was recalled from the Transportation Committee and withdrawn from the House.

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On motion of Rep. Matheny, **House Bill No. 50** was recalled from the Business and Utilities Committee and withdrawn from the House.

**SPONSORS ADDED**

Under **Rule No. 43**, the following members were permitted to add their names as sponsors as indicated below, the prime sponsor of each having agreed to such addition:

**House Bill No. 32** Rep. Jernigan as prime sponsor.

**House Bill No. 165** Reps. Love, Thompson, Mitchell, Cooper, Windle, Turner, Towns and Parkinson as prime sponsors.

**House Bill No. 178** Rep. C. Sexton as prime sponsor.

**House Bill No. 309** Rep. DeBerry as prime sponsor.

**House Bill No. 416** Rep. Staples as prime sponsor.

**House Bill No. 498** Rep. K. Brooks as prime sponsor.

**House Bill No. 695** Rep. Byrd as prime sponsor.

**House Bill No. 699** Rep. M. White as prime sponsor.

**House Bill No. 732** Rep. Jernigan as prime sponsor.

**House Bill No. 752** Rep. Terry as prime sponsor.

**House Bill No. 883** Rep. Pody as prime sponsor.

**House Bill No. 978** Rep. Ragan as prime sponsor.

**House Bill No. 1059** Rep. Pody as prime sponsor.

**House Bill No. 1106** Rep. K. Brooks as prime sponsor.

**SPONSORS REMOVED**

On motion, Rep. Travis was removed as sponsor of **House Bill No. 178**.

On motion, Rep. Keisling was removed as sponsor of **House Bill No. 879**.

**MESSAGE FROM THE GOVERNOR**

**March 6, 2017**

MADAM SPEAKER: I am directed by the Governor to return herewith: House Joint Resolutions Nos. 135, 136, 137, 138, 139, 140 and 141; with his approval.

DWIGHT E. TARWATER, Legal Counsel to the Governor



**MESSAGE FROM THE SENATE  
March 6, 2017**

MADAM SPEAKER: I am directed to transmit to the House, Senate Bill No. 103; For the signature of the Speaker.

RUSSELL A. HUMPHREY, Chief Clerk

**SIGNED  
March 6, 2017**

The Speaker announced that she had signed the following: Senate Bills Nos. 47, 544 and 590.

TAMMY LETZLER, Chief Clerk

**SIGNED  
March 6, 2017**

The Speaker announced that she had signed the following: House Bill No. 293.

GREG GLASS, Chief Engrossing Clerk

**MESSAGE FROM THE SENATE  
March 6, 2017**

MADAM SPEAKER: I am directed to transmit to the House, the Committee on Calendar's First report on Qualified Annual Events, pursuant to Tennessee Charitable Gaming Implemtentation Law and Article XI, Section5 of the Constitution of Tennessee. The report was adopted, 29 -0 -0, and made the action of the Senate.

RUSSELL A. HUMPHREY, Chief Clerk

**ROLL CALL**

The roll call was taken with the following results:

Present..... 94

Representatives present were Akbari, Alexander, Beck, Brooks H., Brooks K., Butt, Byrd, Calfee, Camper, Carr, Carter, Casada, Clemmons, Coley, Cooper, Crawford, Curcio, Daniel, DeBerry, Doss, Dunn, Eldridge, Faison, Farmer, Favors, Fitzhugh, Forgety, Gant, Goins, Gravitt, Halford, Hardaway, Hawk, Hazlewood, Hicks, Hill M., Hill T., Holsclaw, Holt, Howell, Hulsey, Jernigan, Johnson, Jones, Kane, Keisling, Kumar, Lamberth, Littleton, Lollar, Love, Lynn, Marsh, Matheny, Matlock, McCormick, McDaniel, Miller, Mitchell, Parkinson, Pitts, Pody, Powell, Powers, Ragan, Ramsey, Reedy, Rogers, Rudd, Sanderson, Sargent, Sexton C., Sexton J., Shaw, Sherrell, Smith, Sparks, Staples, Stewart, Swann, Terry, Thompson, Tillis,

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Towns, Travis, Van Huss, Weaver, White D., White M., Whitson, Windle, Wirgau, Zachary,  
Madam Speaker Harwell -- 94

**RECESS**

On motion of Rep. Casada, the House stood in recess until 9:00 a.m., Thursday, March 9, 2017.